

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DONALD ANGELO VICARI,

No. 2:22-cv-0215 AC P

Plaintiff,

ORDER

v.

AMADOR COUNTY,

Defendant.

Plaintiff, a pretrial detainee proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983 together with a request for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Plaintiff has not, however, filed a certified copy of his inmate trust account statement for the six-month period immediately preceding the filing of the complaint.¹ See 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit a certified copy of his inmate trust account statement. If plaintiff continues to have trouble obtaining a copy of his trust account statement, as indicated in his application, he should provide a copy of this order to the

¹ Plaintiff states that he does not believe that he is required to submit a trust account statement because he is a pretrial detainee and therefore not subject to the requirements of the Prison Litigation Reform Act (PLRA). ECF No. 2 at 3. However, for purposes of the PLRA, the definition of “prisoner” includes “any person incarcerated or detained in any facility who is *accused of* . . . violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program.” 28 U.S.C. § 1915(h) (emphasis added). Plaintiff is therefore subject to the PLRA’s requirements.

1 appropriate individual within the jail to demonstrate that he is required to provide such
2 documentation.

3 In accordance with the above, IT IS HEREBY ORDERED that plaintiff shall submit,
4 within thirty days from the date of this order, a certified copy of his inmate trust account
5 statement for the six-month period immediately preceding the filing of the complaint. Plaintiff's
6 failure to comply with this order will result in a recommendation that this action be dismissed
7 without prejudice.

8 DATED: February 7, 2022


9 **ALLISON CLAIRE**
10 **UNITED STATES MAGISTRATE JUDGE**

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